

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 25, 2010

DIVISION ONE

B217023 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Anita R.

The April 21, 2009 jurisdictional order is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
 Chaney, J.

B217120 People (Not for Publication)
v.
A.R.

Court 2 is reversed and the cause is remanded for recalculation of the maximum term of confinement. In all other respects, the order under review is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
 Chaney, J.

DIVISION ONE (continued)

B218098 Los Angeles County, D.C.F.S. (Not for Publication)
v.
K.M.

The order is affirmed.

Rothschild, Acting P.J.

We concur: Chaney, J.
Johnson, J.

[illegible]

The disposition order is modified to stay imposition of the term of confinement on count 2 of the petition (possession of ammunition). The trial court is directed to send an amended abstract of the disposition order reflecting the change to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice. In all other respects, the order is affirmed.

Rothschild, J.

We concur: Mallano, P.J.
 Chaney, J.

[illegible]

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
 Johnson, J.

DIVISION ONE (continued)

B212973 People (Not for Publication)
v.
Underwood & Sullivan

The judgments are affirmed. The trial court is directed to issue amended abstracts of judgment reflecting the following: (1) for Underwood, a total of 1,945 days of presentence credit (consisting of 1,297 days of actual presentence custody and 648 days of presentence conduct credit) and (2) for Underwood and Sullivan, the joint and several nature of the victim restitution obligation imposed by the trial court.

Mallano, P.J.

We concur: Rothschild, J.
 Chaney, J.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter, Deputy Clerk.

Each of the following:

B215688 People v. Thibes
B217334 People v. Rigoberto M.
B212314 People v. McGee
B195777 People v. Bryant
B215613 DCFS v. Ronald A.
B217473 DCFS v. Jasmine L.
B214534 People v. Cunningham
B215311 People v. Valentine and White
B213820 People v. Green
B212756 County of Los Angeles v. Indiana Lumbermen's Mutual Ins. Co.
B217657 DCFS v. J.A.

Argument waived, cause submitted.

DIVISION TWO (continued)

B214487 James Weeks, et al.
 v.
 Alexander Van, et al.

Merits:
Argued by Christopher Gordon Kerr for appellants and by Dawn Marie Coulson for respondents. Cause submitted.

B212968 MCOA Holdings, et al.
 v.
 The Lipoderm Institute, Inc., et al.

Merits:
Argued by Kathryn E. Karcher for appellants and by Cheryl Orr for respondents. Cause submitted.

B208651 Juno Collection, Inc., et al.
 v.
 Beleza Fashion, Inc.
 Investment Consultants, LLC

Merits:
Argued by Baird A. Brown for appellants, by Mary Nielsen Abbott for respondent Beleza Fashion, Inc and by Timothy Ray Windham for respondent Investment Consultants, LLC. Cause submitted.

B212618 Latitudes International; Fragrance, Inc.
 v.
 Iggy Regaldo

Merits:
Argued by Christopher Norgaard for appellant and by Frank A. Alfonso for respondent. Cause submitted.

DIVISION TWO (continued)

B218815 Canon Business Solutions, Inc., et al.
 v.
 Gregg Levin

Merits:
Argued by Joseph W. Hammell for appellants and by Todd S. Eagan for respondent. Cause submitted.

B206780 Rapid Payroll, Inc., et al.
 v.
 Brunskill Associates, Inc. dba Computer Payroll Company

Merits:
Argued by Michael Strub for appellants and by Stephen Wald for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter, Deputy Clerk.

B213538 Department of Motor Vehicles
 v.
 Kevin James Overturf

Merits:
Argued by Jennie Mariah Kelly, Deputy Attorney General for appellant and by no appearance by respondent's counsel. Cause submitted.

DIVISION TWO (continued)

B220991 The People
 v.
 Superior Court, Los Angeles County
 (Thomas J. Mitchell, r.p.i.)

Merits:

Argued by Brentford J. Ferreira, Deputy District Attorney for petitioner and by Albert J. Menaster, Deputy Los Angeles County Public Defender for real party in interest. Cause submitted.

B217112 P.L.
 v.
 Los Angeles County, D.C.F.S.

Merits:

Argued by John E. Carlson for appellant and by Frank J. DaVanzo, Deputy County Counsel for respondent. Cause submitted.

B215265 Richard Hopp
 v.
 City of Los Angeles

Merits:

Argued by David A. Cordier for appellant and by Gabriel S. Dermer, Deputy City Attorney for respondent. Cause submitted.

B215166 James A. Martin, et al.
 v.
 Bridgeport Community Association, Inc.

Merits:

Argued by Robert B. Silverman for appellants and by David C. Swedelson for respondent. Cause submitted.

DIVISION TWO (continued)

B200679 Wasserman Comden Casselman & Pearson LLP

V.

Frank Parker

Mark Boothby

Merits:

Argued by Stephen M. Caine for appellant Wasserman Comden Casselman & Pearson LLP; by Herman S. Palarz for appellant Frank Parker and by Howard A. Kapp for appellant Mark Boothby. Cause submitted.

B214749 Jon Eardley

V.

James P. Spears, et al.

Merits:

Jon Eardley appearing for appellant and by Bonita D. Moore for respondents. No argument presented. Cause submitted.

Court adjourned.

B220381 Natalie D. (Not for Publication)

v.

Superior Court, Los Angeles County
(DCFS, r.p.i.)

The order to show cause is discharged and the petition for extraordinary writ is denied.

Chavez, J.

We concur: Doi Todd, Acting P.J.
 Ashmann-Gerst, J.

DIVISION THREE

B207329 People (Not for Publication)
v.
Homer Dal Uttrell

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B214234 Lara (Certified for Publication)
v.
Workers Compensation Appeals Board
Bratiff Home Corporation, et al., Respondent

The decision of the Board is affirmed.

Aldrich, J.

I concur: Croskey, J.
I dissent: Klein, P.J. (Opinion)

B188106 Pfizer, Inc. (Not for Publication)
v.
Superior Court, Los Angeles County
(Galfano, r.p.i.)

The petition for writ of mandate is granted. Pfizer shall recover its costs in this proceeding.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION THREE (continued)

B215969 Los Angeles County, D.C.F.S.
v.
V.O.

Filed order certifying opinion for publication.

DIVISION FOUR

B220112 Dino M. Zaffina (Not for Publication)
v.
Superior Court, Los Angeles County
(Target Corporation, r.p.i.)

The petition for writ of mandate is granted. Let a writ of mandate issue, directing the Superior Court to vacate its order granting the motion of real party in interest to prohibit petitioner from communicating directly with real party in interest and to issue a new and different order denying the motion. Zaffina shall recover costs incurred in this writ proceeding.

Manella, J.

We concur: Epstein, P.J.
Suzukawa, J.

B210384 Bergeron (Not for Publication)
v.
Dion-Kindem, et al.

The order dismissing Bergeron's complaint pursuant to a special motion to strike under section 425.16 is affirmed. The denial of the PDK defendants' request for attorneys fees is likewise affirmed. Each side shall bear its own costs on their respective appeals.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

DIVISION FIVE

B215766 Los Angeles County, D.C.F.S. (Not for Publication)
v.
K.M.

The appeal as to Jasmine is dismissed. The disposition order concerning
Brandon is affirmed.

Armstrong, Acting P.J.

We concur: Kriegler, J.
 Weisman, J. (Assigned)

B210895 Sam Ghadrhan (Certified for partial Publication)
v.
Alex Gorabi et al

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

We concur: Turner, P.J.
 Kriegler, J.

DIVISION SIX

B211127 Diaz (Certified for Publication)
v.
Carcamo

The judgment is affirmed. Respondent shall recover costs on appeal.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

DIVISION SIX (continued)

B215534 Bernie Dominguez (Not for Publication)
 v.
 Elizabeth Dominguez

We reverse the order denying child support and remand with directions to recalculate child support based on statewide uniform guidelines (§§ 4052-4055), subject to any adjustments which the trial court finds are in the best interests of the children. (§ 4057, subd. (b); In re Marriage of Wittgrove, supra, 120 Cal.App.4th at p. 1326) The judgment, as modified, is affirmed. Wife is awarded costs on appeal and each side is to bear its own attorney's fees.

Yegan, Acting P.J.

We concur: Coffee, J.
 Perren, J.

B210291 People
 v.
 Nischmann

Filed order vacating submission order of November 12, 2009. The cause is being vacated to determine whether an anticipated decision could affect the outcome of the instant case. The cause will be resubmitted as of March 1, 2010.

B216826 People v. Rebecca Braswell
B217217 People v. Matthew G. Toerner

Filed order consolidating above captioned appeals.

February 25, 2010 (Continued)

DIVISION EIGHT

B210010 People (Not for Publication)
v.
Lazaro Sanchez Castro

The judgment is affirmed.

Flier, J.

We concur: Bigelow, P.J.
Rubin, J.